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ABSTRACT

The history of Texas' implementation of bilingual education is examined through a review of relevant literature and court litigation, and a survey of school district superintendents and administrators on this topic is reported. In interviews with the administrators, it was found that bilingual education and English-as-a-Second-Language (ESL) instruction are widely misunderstood. Eight of the 10 participating school districts did not take advantage of federal funding opportunities. In several South Texas schools, the curriculum is geared to transitioning students into all-English instruction as quickly as possible, with Spanish language use discouraged. Parents of students identified as limited-English-speaking (LEP) frequently declined bilingual program participation, did not respond accurately to home language surveys, and did not volunteer for language proficiency assessment committees. Other problems included inconsistency in committee functions, lack of equity between bilingual, gifted and talented, and special education, difficulty in hiring qualified ESL teachers, and communication problems within schools. Implications are drawn. A summary in Spanish of administrators' responses to interview questions is appended. (MSE)

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Implementation of Bilingual Education Programs in South Texas

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INTRODUCTION

Many educators have responded to the decline in student performance by attempting to restructure schools. The aim of restructuring is to make needed changes in schools so that America educates all of its children so that they will lead productive lives (Texas Lead Center, 1991).

The framework of the study is based on laws and legislation that govern administrative decision-making in implementing bilingual education programs to meet the needs of Hispanic limited English proficient (LEP) students. Effective Schools Research was also integrated in the framework.

REVIEW OF SELECTED LITERATURE

Legislation and Litigation

The review of the literature suggests that fair and just treatment for minority students has not been a priority for the State of Texas. By 1942, there were "Mexican Schools" in at least 122 Texas school districts in fifty-nine different counties. State and local school officials justified these "Mexican Schools" because these were migrant students that did not speak English, and therefore needed to be segregated. Furthermore, students that spoke Spanish on school grounds were severely punished. Texas educators saw the public school system as a way to Americanize the "foreign element."

The Texas Education Agency and Texas school districts treated Mexican-American students as a separate and inferior class. Mexican-American native language and culture were assailed and excluded in an effort to "Americanize" Mexican-American students (U.S. vs. Texas 321 R. Supp. 1043 E. D. Tex. 1070, 1970).

Thus, the Texas Supreme Court observed that segregation of Mexican-American students generated a feeling of inferiority as to the Mexican-American status in the community which would affect their hearts and minds in a way unlikely ever to be undone. Other forms of discrimination, such as suppression of a child's native language and culture and the maintenance of inferior facilities for the Mexican-American student compounded the gravity of the consequence. The Texas Supreme Court acknowledged further that negative stereotyping and racial isolation are forms of discrimination which still affect the educational experience of Mexican-American students and contribute to their low achievement. Mexican-American students still suffer from severe reading retardation (U.S. vs. Texas 321 F. Supp. 1043 E. D. Tex. 1070, 1970).

Based on the facts of the United States vs. Texas (Civ. A. No. 5281, 1970), Texas has been a difficult state in implementing bilingual education. In this Civil action, Texas and the Texas Education Agency were accused of creating nine all-Black school districts throughout the State and had failed to provide equal educational opportunity without regard to race. The trial

was entered on November 24, 1970.

The Texas Education Agency was ordered to submit a comprehensive plan to ensure equal educational opportunity for all students in the State. The Court of Appeals for The Fifth Circuit affirmed the order. The Order was not overturned, and thus continued with the sanction of the Supreme Court.

Section G of this order, entitled "Curriculum and Compensatory Education", required the Texas Education Agency to carry out a study of the educational needs of minority children throughout the state and to report its findings to the court by August 15, 1971. The Texas Education Agency filed a timely response to the Section G requirements, in the form of an 86-page document entitled "T.E.A. Plan for Meeting Requirements of Section G" and a 17-page document entitled "Alternative Programs to Improve Curriculum for Minority Students" (U.S. vs. Texas 321 F. Supp. 1043 E. D. Texas 1970).

A Motion was granted to LULAC and G. I. Forum on July 10, 1972 to enforce Section G. LULAC and G. I. Forum called on the Texas Education Agency to implement a plan which would provide all limited English proficient students with bilingual instruction and compensatory programs to overcome the effects of the unavailability of bilingual instruction in the past. Section G of the Court's 1971 order had required only the filing of a report to propose remedial programs.

The State of Texas first recognized the need to change its policies in educating Mexican American children in 1969, when the legislature repealed the 1918 "English Only" law and

permitted, for the first time, bilingual education by local school districts in those situations when such instruction was educationally advantageous to the pupils. No money was made available for implementation.

The federal government's attention first focused on bilingual education with the passage of the Bilingual Education Act of 1968 as an amendment to Title VII of the Elementary and Secondary Education Act (ESEA). Local responsibility to provide special language services to LEP students was made explicit in a memorandum issued by the Office for Civil Rights in 1970. In 1974, the Lau v. Nichols Supreme Court decision upheld the requirement that districts provide an equal education to its students. And in 1991, the Office of Civil Rights again brought local attention to bear on meeting the needs of language minority students with its National Enforcement Strategy (Wilson, Shields & Marder, 1994).

The Texas legislature enacted the Texas Bilingual Education Act in 1973. The Texas Education Agency was ordered to provide adequate bilingual programs and compensatory programs for Mexican-American students. Also, the agency had to provide monitoring and assessment of school district's bilingual education and compensatory education programs. However, bilingual programs and compensatory programs are inadequate to meet the needs of the Hispanic students (U.S. vs. Texas 321 F. Supp. 1043 E. D. Tex.). All of this legislation brought about the implementation of bilingual education programs. However, the educational plight of Mexican-

Americans continued. After the 1960 elections, Mexican-Americans who had worked hard for John Kennedy became disillusioned with the president's failure to appoint members of their group to important policy-making positions. In 1961 the Kennedy administration again showed its callousness toward Mexican-American politicians by ignoring their recommendations in the selection of a federal judge for Brownsville. In Texas, Mexican-American formed the Political Association of Spanish-Speaking Organizations (PASO) to assist them in gaining political influence. For several years PASO was successful in electing those supportive of their demands, including an Anglo Republican and several Mexican-American legislators. It also contributed to the political takeover in the Crystal City elections of 1963 (San Miguel, 1987).

Throughout the early years of the Johnson administration, federal officials in all branches of the government continued their tradition of indifference toward Mexican-Americans. Insensitivity to the Mexican-American community was most apparent in the War on Poverty programs. Mexican-Americans were not provided an opportunity to help draw up federal guidelines for the equal opportunity programs, nor were they appointed to important policy making positions. In 1965 in an effort to urge the President to appoint a Mexican-American to the position of assistant to the president, a statement was presented to the White House by Dr. Hector P. Garcia, founder of the American G.I. Forum. No response was received from the

White House. In February 1966, the president announced formation of a multiracial council to help plan a White House conference on civil rights. No Mexican-Americans, however, were appointed to it. The American G.I. Forum and other organizations throughout the Southwest were infuriated at this "insult by omission."

In 1967 a group of young chicanos calling themselves "La Raza Unida" held a conference to assist Mexican-Americans. Their means for accomplishing this were radically different, favoring confrontation as the most effective means to gain access for the traditionally excluded Chicano, even though it has, on occasion, led to violence (San Miguel, 1987, p.169).

The Mexican-American Legal Defense and Education Fund (MALDEF) became a key supporter of student activists and contributed both to the shaping of legal principles to eliminate discrimination against Mexican-Americans and to establishing special services aimed at promoting equality in American life. MALDEF's strategy was first to attempt to negotiate a settlement or to threaten litigation. "The possibility of litigation," stated MALDEF, "was sometimes enough to convince local school boards or voting officials to change their ways" (San Miguel, 1987, p.172). If the threat of litigation did not bring results, then MALDEF would bring class action suits seeking broad reforms.

During 1968, MALDEF filed two lawsuits seeking reinstatement of Mexican-American teachers who failed to be rehired because of their visible involvement in the emerging Chicano

movement. One suit protested the school expulsion of a Chicana in the Rio Grande Valley for handing out anti-Vietnam War handbills which the principal found "personally distasteful." Also in 1968, MALDEF supported the plaintiffs in the important Rodrigues vs. San Antonio Independent School District case. This suit, originally filed by Mexican-American parents whose children attended the public schools in the Edgewood Independent School District in San Antonio, attacked the Texas system of financing public education (San Miguel, 1987).

Data Collection

The researcher called each of the superintendents to request their participation in the study. Each of the superintendents was told of the area being investigated and was given an oral report of the objectives and purpose of the study. Then the researcher was given approval and a time to interview the respective superintendent. The superintendents were given the option of being interviewed or of assigning a designee to be interviewed. Each of the superintendents were scheduled for individual interviews in their respective central offices. The superintendents were orally given examples of the types of questions that they would be asked to answer during the interviews. They were told of the type of data that they needed to have to answer the questions.

The data was gathered from each of the on-site interviews and was categorized into patterns. These patterns were similarities and differences between what they were doing and

what was required by law between the different administrators in implementing educational programs. Also, the data was coded, and was transcribed from audio recordings of each interview. All of the interviews were recorded on cassette tapes. The written transcriptions were organized into a binder for further study.

Conclusions

Upon completion of the investigation of administrators implementing bilingual education program activities from law to practice the following conclusions were found:

* Bilingual education and English as a second language (ESL) instruction are widely misunderstood. Superintendents and principals are not as knowledgeable as they need to be about the intent and purpose of bilingual education.

* Eight out of ten school districts interviewed do not take advantage of federal funding opportunities.

* The cut and paste curriculum in several South Texas school districts is geared to transition students to an all English curriculum as soon as possible. The consistent use of the native language is not part of the curriculum. The use of the Spanish language is allowed in the bilingual classrooms as little as possible. Basically the Spanish language is used to translate English phrases.

* All ten districts interviewed grouped students hetereogenously.

* There are many parent denials in most bilingual education programs in South Texas. A superintendent of a 3A school

district away from the Coastal Bend stated that they had 50% to 60% parent denials of identified LEP students. A middle school principal of a 4A school district in the Coastal Bend stated that they had 20% parent denials of identified LEP students. Furthermore, a superintendent of a border 5A school district reported that they had 5% parent denials of identified LEP students.

* Responses to the home language survey form are not accurate. Parents are not sincere in filling out the form.

* Language Proficiency Assessment Committees (LPACs) are not used for assessment purposes but rather to exit LEP students.

* Site Based Decision Making (SBDM) teams allow input from teachers. However, different parameters are identified by the superintendent and the school board in considering teacher input to make decisions.

* There is no equity in school programs between bilingual education, Gifted & Talented (GT), and special education, according to a 3A superintendent in the Coastal Bend, an elementary principal of a 3A school district away from the Coastal Bend, and a 5A superintendent away from the border.

* Waivers were requested by nine out of ten districts in different areas other than bilingual education.

* The parent is the most difficult position to fill on the LPAC committees.

* It is difficult to hire certified bilingual and ESL teachers.

* Seven out of ten school districts have teacher committees to

select state-adopted books.

* Communication between the superintendent, the secondary principal, and the elementary principal is very inconsistent.

Findings

The data appears to suggest:

* There is a positive attitude towards bilingual education in border school districts away from the Coastal Bend.

* Hispanic administrators appear to have a sincere interest in implementing bilingual programs to meet the needs of Hispanic LEP students.

* School districts with a higher concentration of Hispanic students implement bilingual programs to meet the needs of Hispanic LEP students.

* School districts close to the Coastal Bend are expressing a want to implement bilingual programs to meet the needs of LEP students.

* All sixteen administrators interviewed stated that they are following the law in implementing bilingual programs. However, bilingual education is not a priority in program implementation to meet the needs of LEP students in the Coastal Bend school districts.

* Communication between administrators in a border school district, a Coastal Bend school district, and a school district away from the Coastal Bend is very inconsistent. Administrators do not communicate within their staff the same mission, vision, or objectives in their respective school districts.

* Bilingual programs are transitional in nature. Border school district administrators state that they want to extend on Spanish and English skills, but would like for LEP students to be exited into all-English classrooms as soon as possible.

* The use of the native language in the Coastal Bend school districts is very limited. Border school districts and districts away from the Coastal Bend tend to use the native language more.

* Some teachers in the Coastal Bend school districts do not want to teach in bilingual classrooms.

* Administrators are not as knowledgeable about bilingual education programs as they need to be to meet the needs of LEP students.

* Equity does not exist between bilingual education, GT, and special education, according to a 3A superintendent in the Coastal Bend, an elementary principal of a 3A school district away from the Coastal Bend, and a 5A superintendent away from the border.

NABE

INVESTIGACION DE PROGRAMAS BILINGUES EN SUR TEJAS

POR EL

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PRIMAVERA DEL 1996

ORLANDO, FLORIDA

RESUMEN

Investigación de programas bilingües en sur Tejas

18 entrevistas se llevaron acabo con los siguentes administradores y distritos escolares.

16 administradores
10 distritos escolares
10 superintendentes
3 directores de escuelas primarias
2 directores de escuelas intermedias
1 director de escuela secundaria
2 directores de programas bilingües

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16 administradores aceptan el uso de la lengua nativa.

9 superintendentes
7 directores

9 administradores usan comités de maestras para adoptar libros bilingües adoptados por el estado.

6 superintendentes
3 directores

8 administradores pagan incrementas de salario a las/los maestros de educación bilingüe.

7 superintendentes
1 director

16 administradores dicen que el Español es la lengua que se usa fuera del Inglés en sus distritos escolares.

10 superintendentes
6 directores

11 administradores dicen que el programa de educación bilingüe impacta al comité de decisiones en su escuela.

8 superintendentes
3 directores

4 administradores dicen que el programa de educación bilingüe no impacta al comité de decisiones de su escuela.

15 administradores reportan que la posición del padre o guardián es la más difícil para nombrar para el comité de evaluación de lenguas.

9 superintendentes
6 directores

1 superintendente dijo que la maestra es la más difícil para nombrar para el comité de evaluación de lenguas.

11 administradores reportan que tienen balance en equidad.

7 superintendentes
4 directores

5 administradores comentaron que no tienen balance de equidad.

3 superintendentes
2 directores

13 administradores han pedido dispensas de reglas del estado pero ninguno ha sido para mejorar sus programas de educación bilingüe.

9 superintendentes
4 directores

4 administradores dijeron que sus padres no son sinceros en contestar las preguntas de la forma que se manda a la casa preguntando cuál lengua se usa en su casa.

3 directores
1 superintendente

3 administradores del mismo distrito escolar 3A dijeron que ellos necesitan dirección, participación del distrito, y que se le recorten más requisitos reglamentarios del estado para poder ayudar a los estudiantes que aprenden la segunda lengua.

3 superintendentes

8 administradores reportan que ellos incluyen a sus estudiantes de inglés como segunda lengua juntos con todos los demás estudiantes.

5 superintendentes
3 directores

6 administradores dicen que ellos tienen pocos padres o guardianes que rechazan el programa bilingüe para sus hijos.

4 superintendentes
2 directores

4 administradores dicen que ellos tienen muchos padres o guardianes que rechazan el programa bilingüe para sus hijos.

3 superintendentes
1 director

Dr. Carlos Cruz 3-16-96